

REMARKS

Reconsideration and allowance of the subject application are respectfully solicited.

Claims 1, 2, 4, and 17 are pending, with Claim 1 being independent. Claims 1 and 4 have been amended. Claim 17 has been added.

Claims 1, 2, and 4 again were rejected under 35 U.S.C. § 102 over US 2003/0039455 A1 (Ouchi, et al.) (EP 1 286 194 A2 and US 6,829,398 B2). All rejections are respectfully traversed.

Claim 1 recites, *inter alia*, that the light emitting element and the optical path transforming structure are both formed on the same semiconductor substrate.

However, Applicant respectfully submits that Ouchi, et al. fails to disclose or suggest at least the above-discussed claimed features as recited, *inter alia*, in Claim 1.

The Official Action asserts that Ouchi, et al.'s item 3 or 7 is the claimed semiconductor substrate. Applicant respectfully traverses this assertion — Ouchi, et al.'s optical path converting unit 3 is made of a polymer, not a semiconductor, and Ouchi, et al.'s light emitting device 2 and optical path converting unit 3 are not formed on Ouchi, et al.'s item 7; so neither of Ouchi, et al.'s items 3 and 7 can possibly be the claimed semiconductor substrate.

Applicant further respectfully submits that there has been no showing of any indication of motivation in the cited document that would lead one having ordinary skill in the art to arrive at such claimed features. By means of such features, Applicant respectfully submits that the light emitting element and the optical path transforming structure can be easily aligned so that the light emitted from the former can be coupled to the latter, and to an optical waveguide. Of course, the claims are not limited to the foregoing or to the disclosed embodiments.

The dependent claims are also submitted to be patentable because they set forth additional aspects of the present invention and are dependent from independent claims discussed above. Therefore, separate and individual consideration of each dependent claim is respectfully requested.

Applicant submits that this application is in condition for allowance, and a Notice of Allowance is respectfully requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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